

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

SB 899 - HB 993

March 9, 2015

SUMMARY OF BILL: Expands the scope of authority for the Board of Medical Examiners (BME) in the regulation of X-ray operators. Requires the BME to regulate operators of radiological imaging and radiation therapy equipment or machines in physicians' offices, hospitals, outpatient diagnostic centers, and recuperation centers. Requires the BME to establish limited radiography certifications and full licenses for radiological imaging and radiation therapy licenses. The approval of an individual's application for full radiological imaging or radiation therapy licensure will be dependent on such individuals attainment of national certification from the American Registry of Radiologic Technologists (ARRT), the Nuclear Medicine Technology Certification Board, or any nationally recognized radiologic imaging or radiation therapy certification organization recognized by the BME. The BME will retain the authority to establish minimum education courses, curriculum, hours, and standards prerequisite to the issuance of any license

ESTIMATED FISCAL IMPACT:

**Increase State Expenditures - \$8,600/One-Time/Board of Medical Examiners
\$90,900/Recurring/Board of Medical Examiners**

Other Fiscal Impact - The Board of Medical Examiners is required to be self-supporting. If the \$99,500 in increased expenditures in FY15-16 cannot be covered by current fee revenue, the Board will increase licensure fee amounts to offset the increased expenditures. As of June 30, 2014, the Board had a cumulative reserve balance of \$2,365,965.

Assumptions:

- Currently, full X-ray certifications are obtained from the Board of Medical Examiners (BME), the Board of Chiropractic Examination, the Board of Podiatric Medical Examiners, and the Board of Osteopathic Examination by submitting a certification issued by the ARRT. This legislation will place all certifying and licensing duties under the BME.
- As of December 31, 2014, there were 3,927 individuals certified by the following health related boards as X-ray operators:
 - BME - 3,672
 - Board of Podiatric Medical Examiners - 130
 - Board of Chiropractic Examiners - 110
 - Board of Osteopathic Examination - 15

- According to the Department of Health, there are approximately 5,480 individuals with ARRT certification in the state that work in hospitals, outpatient diagnostic centers, and recuperation centers who would be required to obtain licensure. It is unclear how many current ARRT-certified individuals are also licensed by a health related Board; however, based on information provided by the department, there will be a substantial increase in the number of individuals requiring certifications and licensure from BME. At a minimum, there are 1,553 new individuals that would be required to become certified or licensed by BME (5,480 - 3,927).
- The BME will establish any necessary rules to effectuate the purposes of this act.
- The BME will require two new positions, one regulatory board administrative assistant-1 and one licensing technician in order to handle the additional workload from newly certified or licensed individuals expected to result from this legislation.
- The increase in recurring state expenditures for the two positions will be \$90,881 (salaries \$60,828 + benefits \$21,400 + FICA \$4,653 + communications \$2,800 + supplies \$1,200). The increase in one-time expenditures of \$8,600 (office furniture \$5,400 + desktop computer \$3,200).
- Pursuant to Tenn. Code Ann. § 4-29-121, all health related boards are required to be self-supporting over any two year period.
- The BME will offset this increase in additional expenditures with revenue collected from application, certification, and licensure fees collected by new and current licensees. Any excess expenditure over revenue collected by the Board will subsequently result in an increase in Board fees to cover such excess expenditures.
- The BME had an annual surplus of \$288,380 in FY12-13, an annual deficit of \$75,431 in FY13-14, and a cumulative reserve balance of \$2,365,965 on June 30, 2014.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.



Jeffrey L. Spalding, Executive Director

/jdb